

1-1 By: Madla S.B. No. 1877
1-2 (In the Senate - Filed March 21, 2003; March 24, 2003, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 7, 2003, reported favorably by the following vote: Yeas 10,
1-5 Nays 0; April 7, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the election of directors and validation of acts of the
1-9 governing board of the Real-Edwards Conservation and Reclamation
1-10 District.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subsection (b), Section 11, Chapter 341, Acts of
1-13 the 56th Legislature, Regular Session, 1959, is amended to read as
1-14 follows:

1-15 (b) There shall be held in the District on the first Tuesday
1-16 after the first Monday in November [~~Saturday of May~~] in each
1-17 even-numbered year an election within the District for the
1-18 selection of Directors to succeed those whose terms expire on said
1-19 date. Such election shall be held in such voting boxes as are
1-20 designated by the Board of Directors, and notice of such election
1-21 shall be given by the Secretary of the Board of Directors by posting
1-22 in three (3) public places within the District a copy of the order
1-23 of the Board of Directors directing the time and places of holding
1-24 the election. No person shall be selected a Director unless he be
1-25 above the age of twenty-one (21) years and a resident within the
1-26 territorial limits of the District.

1-27 SECTION 2. (a) The following actions of the Real-Edwards
1-28 Conservation and Reclamation District are validated and confirmed
1-29 as if the actions had been done as authorized by law:

1-30 (1) all acts and governmental proceedings of the
1-31 district taken before the effective date of this Act; and

1-32 (2) the election or appointment of directors or other
1-33 officials of the district who took office before the effective date
1-34 of this Act.

1-35 (b) This Act does not apply to:

1-36 (1) an act or proceeding that was void at the time it
1-37 occurred;

1-38 (2) an act or proceeding that, under a statute of this
1-39 state or the United States, was a misdemeanor or felony at the time
1-40 the act or proceeding occurred;

1-41 (3) a rule that, at the time it was passed, was
1-42 preempted by a statute of this state or the United States; or

1-43 (4) a matter that on the effective date of this Act:

1-44 (A) is involved in litigation if the litigation
1-45 ultimately results in the matter being held invalid by a final
1-46 judgment of a court; or

1-47 (B) has been held invalid by a final judgment of a
1-48 court.

1-49 SECTION 3. (a) A member of the board of directors of the
1-50 Real-Edwards Conservation and Reclamation District serving on the
1-51 effective date of this Act shall continue in office until the
1-52 member's successor, elected at the election held November 2, 2004,
1-53 qualifies for office.

1-54 (b) At the election held November 2, 2004, nine directors
1-55 shall be elected to the board. The nine directors elected shall
1-56 draw lots to determine which four directors serve two-year terms
1-57 and which five directors serve four-year terms beginning January 1
1-58 following the election.

1-59 (c) Directors elected at the election held November 7, 2006,
1-60 and in successive even-numbered years as provided by Section 11,
1-61 Chapter 341, Acts of the 56th Legislature, Regular Session, 1959,
1-62 as amended by this Act, serve four-year terms beginning January 1
1-63 following the election.

1-64 SECTION 4. This Act takes effect immediately if it receives

2-1 a vote of two-thirds of all the members elected to each house, as
2-2 provided by Section 39, Article III, Texas Constitution. If this
2-3 Act does not receive the vote necessary for immediate effect, this
2-4 Act takes effect September 1, 2003.

2-5

* * * * *